

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HOUSE BILL 2153

AN ACT

AMENDING TITLE 28, CHAPTER 20, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-7095.01; RELATING TO DISPOSAL OF REAL PROPERTY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 28, chapter 20, article 6, Arizona Revised Statutes,
3 is amended by adding section 28-7095.01, to read:

4 28-7095.01. Disposal of property; reimbursement

5 A. THE DEPARTMENT MAY DISPOSE OF PROPERTY OR ANY INTEREST IN PROPERTY
6 THAT WAS PURCHASED WITH MONIES FROM THE REGIONAL AREA ROAD FUND ESTABLISHED
7 BY SECTION 28-6302 OR THE ARIZONA HIGHWAY USER REVENUE FUND ESTABLISHED BY
8 SECTION 28-6533 IF THE DIRECTOR DETERMINES THAT THE PROPERTY OR INTEREST IS
9 NOT NEEDED FOR TRANSPORTATION PURPOSES. DISPOSAL SHALL BE ACCOMPLISHED
10 PURSUANT TO DISPOSAL PROCEDURES PRESCRIBED IN SECTION 28-7095.

11 B. PROCEEDS OF THE DISPOSAL SHALL BE USED TO REIMBURSE EITHER:

12 1. THE REGIONAL AREA ROAD FUND IF THAT FUND WAS USED TO PURCHASE THE
13 PROPERTY OR INTEREST.

14 2. THE ARIZONA HIGHWAY USER REVENUE FUND IF THAT FUND WAS USED TO
15 PURCHASE THE PROPERTY OR INTEREST.

16 C. ANY REIMBURSEMENT MADE PURSUANT TO SUBSECTION B OF THIS SECTION
17 SHALL EQUAL THE AMOUNT OBTAINED THROUGH THE DISPOSAL OF THE PROPERTY OR
18 INTEREST.

19 D. ANY EXCESS PROPERTY OR INTEREST IN PROPERTY THAT WAS PURCHASED WITH
20 MONIES FROM THE REGIONAL AREA ROAD FUND OR THAT WAS PURCHASED WITH MONIES
21 FROM THE ARIZONA HIGHWAY USER REVENUE FUND MAY BE TRANSFERRED IN FEE TO THE
22 DEPARTMENT OR TO ANY OTHER PUBLIC AGENCY UPON REIMBURSEMENT OF THE COST TO
23 INITIALLY ACQUIRE THE PROPERTY IF THE PROPERTY OR INTEREST IS USED FOR A
24 TRANSPORTATION PURPOSE. IF THE PUBLIC AGENCY DOES NOT USE THE PROPERTY OR
25 INTEREST FOR A TRANSPORTATION PURPOSE, EITHER:

26 1. THE PROPERTY OR INTEREST REVERTS BACK TO THE DEPARTMENT.

27 2. THE PUBLIC AGENCY SHALL PAY THE CURRENT FAIR MARKET VALUE OF THE
28 PROPERTY OR INTEREST TO REIMBURSE EITHER:

29 (a) THE REGIONAL AREA ROAD FUND IF THAT FUND WAS USED TO PURCHASE THE
30 PROPERTY OR INTEREST.

31 (b) THE ARIZONA HIGHWAY USER REVENUE FUND IF THAT FUND WAS USED TO
32 PURCHASE THE PROPERTY OR INTEREST.

33 E. THE PUBLIC AGENCY MAY NOT SELL OR TRANSFER OWNERSHIP OF THE
34 PROPERTY OR INTEREST UNLESS THE AGENCY MAKES THE PAYMENT PRESCRIBED IN
35 SUBSECTION D, PARAGRAPH 2 OF THIS SECTION.